

**MINUTES OF THE REGULAR MEETING OF THE CHARLOTTE COUNTY  
CONSTRUCTION INDUSTRY LICENSING BOARD  
18500 Murdock Circle, Room 119  
Port Charlotte, Florida 33948**

**June 4, 2015**

**CALL TO ORDER**

Thomas Burns called the meeting to order at 6:00 pm.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Members Present:**

Thomas Burns  
Erik Howard  
Pamela Alexander  
John Damon  
Robert Overcash  
Glenn Siegel, Board Attorney

**Absent:**

Charles Hackbarth – Called  
Stephen Gardiner – Sent Email  
Carleton Strong – Sent Email

**Staff Present:**

Erin Mullen-Travis, Certified Code Compliance Officer, Licensing Manager  
Terri Barnett, Certified Code Compliance Officer, Licensing Investigator  
John Drown, Code Compliance Officer, Licensing Investigator  
Lorraine Lundblad, Certified Code Compliance Officer, Licensing Investigator  
Keith Morgan, Certified Code Compliance Officer, Licensing Investigator  
Ben Bailey, Interim Building Official  
Pooja Patel, Assistant County Attorney  
Sandra Williamson, Administrative Assistant I

**NEXT MEETING DATE**

July 10, 2015

**APPROVAL OF MINUTES**

*Pam Alexander* moved to approve the minutes of May 7, 2015. The motion was seconded by *Erik Howard* and was passed unanimously.

**SWEARING IN OF ALL THOSE GIVING TESTIMONY**

*Sandra Williamson* administered oath to those who gave testimony.

**AGENDA CHANGES**

*Erin Mullen-Travis* gave an update on the agenda changes.

### **CONSENT – AFFIDAVITS OF NONCOMPLIANCE FINES**

All matters listed under this item are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If discussion is desired by a member of the Board, that item(s) will be removed from the Consent Agenda and considered separately. **Each case has been assessed with an additional \$10.00 for the cost of recording the lien:**

- |    |   |               |
|----|---|---------------|
| A. | Jared Mangan - Citation No. 3968 - \$1,000.00     | Terri Barnett |
| B. | Thomas Sharpe - Citation No. 3660 - \$1,000.00    | Keith Morgan  |
| C. | Devin Shipuleski - Citation No. 3661 - \$2,000.00 | Keith Morgan  |

**MOTION:** *Erik Howard* motioned to accept the fine as stated in the Affidavit of Noncompliance. *Pam Alexander* seconded and was passed unanimously.

### **CONTESTING CITATION**

None

### **REINSTATEMENT**

Anthony P. Favara  
Peace River Custom Homes, Inc.  
Certified Building Contractor  
CBC1253896  
Case No. CIL-10-00395

Keith Morgan

*Anthony Favara* is requesting reinstatement of his permitting privileges and the right to work in Charlotte County.

*Keith Morgan*, Certified Code Compliance Officer provided testimony as stated in the investigative report. *Anthony Favara* was present and provided testimony to the board.

**MOTION:** *John Damon* motioned that the permitting privileges and the right to work in Charlotte County of *Anthony Favara*, be temporarily reinstated for the sole purpose of renewing the expired permits as cited in CIL-10-00395. Once the permits have received the required final inspections, *Anthony Favara's* permitting privileges and right to work as contactor be reinstated without the necessity of reappearing before this Board. *Erik Howard* seconded, and the motion was approved unanimously.

### **LICENSE REVIEW**

None

### **EXAMINATION**

None

### **OLD BUSINESS**

A. Jeffrey S. Davis Lorraine Lundblad  
d/b/a PGA, LLC  
Local Aluminum/Concrete Contractor  
License No. AAA005762  
Case No. CIL-14-00325

**Lorraine Lundblad** Certified Code Compliance Officer, Licensing Investigator, provided testimony as stated in the investigative report. **Jeffrey Davis** along with his attorney **Russell Kirshy** was present and provided testimony to the board.

**MOTION:** **Erik Howard** made the motion that **Jeffrey Davis'** extend the temporary permitting privileges until July 9, 2015. **Jeffrey Davis** must reappear before the Board on July 9, 2015, to provide the Board with an update on all outstanding permits. The motion was seconded by **John Damon** with one (1) opposing vote **Pam Alexander**.

B. Corey J. Lynch Erin Mullen-Travis  
d/b/a Heights Seamless Gutter, Inc.  
Local Aluminum Contractor  
License No. AAA0010565  
Case No. CIL-13-00472

**Erin Mullen-Travis** Certified Code Compliance Officer and Licensing Manager, provided testimony as stated in the investigative report. **Corey Lynch** was present and provided testimony to the board.

**MOTION:** **Pam Alexander** made the motion that **Corey Lynch's** new permitting privileges be extended until July 9, 2015. **Corey Lynch** must reappear before the Board on July 9, 2015, to provide the Board with an update on all outstanding permits. The motion was seconded by **John Damon** with one (1) opposing vote **Erik Howard**.

C. Peter Cafaro, III Lorraine Lundblad  
Lowes Home Centers, Inc.  
Certified General Contractor  
CGC1508417  
Case No. CIL-14-00398

**Lorraine Lundblad** Certified Code Compliance Officer, Licensing Investigator, provided testimony as stated in the investigative report. **Peter Cafaro** was present and provided testimony to the board.

**MOTION:** **Tom Burns** made the motion that **Peter Cafaro, III's** permitting privileges and the right to work as a contractor in Charlotte County be permanently reinstated. The motion was seconded by **Pam Alexander** and was approved unanimously.

## **DISCIPLINE CASES**

A. Kevin Cassidy  
d/b/a Postive Air & Electric, Inc.  
Certified Air Conditioning Contractor  
License No. CAC1816013  
Case No. CIL-15-00313

Terri Barnett

**Terri Barnett** Certified Code Compliance Officer, Licensing Investigator, provided testimony as stated in the investigative report. **Kevin Cassidy** was not present to give testimony to the board.

**CHARGE :** **Florida Building Code 105.1**, adopted by Charlotte County Code 3-2-23 - Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit **(1 Count)**.

**CHARGE 2:** Charlotte County Code 3-2-47(b)(4) Willful or deliberate disregard and violation of any lawful order of the board, any provisions of Charlotte County Code, Chapter 3-2, Chapter 3-9, any provisions of any code adopted pursuant to this chapter or any state law regulating the construction industry, including Chapter 489 and Part I of Chapter 455. **(1 Count)**

**MOTION:** **Erik Howard** made the motion that **Kevin Cassidy** is be found in violation of the charges as specified in the Notice of Violation and Notice of Hearing CIL-15-00313 and that **Kevin Cassidy's** permitting privileges and right to work as a contractor in Charlotte County be revoked. It is further recommended that a copy of this Boards order and case packet be sent to the Florida Construction Industry Licensing Board ("FCILB") with the recommendation that the FCILB order **Kevin Cassidy** to be required to obtain an after the fact permit and all necessary final inspections shall be completed. It is further recommended that the FCILB place **Kevin Cassidy** on probation and if **Kevin Cassidy** fails to obtain the permit and obtain the required inspections on the job, that permit was not obtained, the FCILB suspend or revoke the license of **Kevin Cassidy**. The motion was seconded by **Pam Alexander** and was approved unanimously.

#### **CITIZEN INPUT**

None

#### **REPORT FROM THE LICENSING DIVISION MANAGER**

**Erin Mullen-Travis** introduced the new license investigator to the Board, John Drown

#### **REPORT FROM THE BUILDING OFFICIAL**

**Ben Bailey** informed the Board the new permit charges were approved by the Commissioners.

#### **REPORT FROM THE ASSISTANT COUNTY ATTORNEY**

None

**BOARD ATTORNEY COMMENTS**

None

**REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS**

The following was discussed by the Board Members:

- The new ethic information which the members received in the mail...will the county be providing training?
- The code changes...when will the proposed changes go before the Commissioners for approval.

**ADJOURNMENT**

*Tom Burns* made the motion to adjourn and *Pam Alexander* seconded the motion and it was approved unanimously at 6:45 pm.

**CHARLOTTE COUNTY  
CONSTRUCTION INDUSTRY LICENSING BOARD  
MINUTES OF JUNE 4, 2015**

Read and approved on July 9, 2015:

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Tom Burns, Chairman of the  
Charlotte County Construction  
Industry Licensing Board

ATTEST:

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Sandra Williamson  
Administrative Assistant I  
Community Development Department  
Contractor Licensing Division

***Complete files of all cases, as well as taped recordings of all proceedings of this meeting, are kept in the Community Development Department and are available to the public.***

***Any person who decides to appeal a decision of this Board will need a record of the proceedings pertaining thereto, and therefore may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.***